

**REMARKS**

Claims 1 and 10 are amended herein. Claim 2 is canceled. Upon entry of the Amendment, claims 1, 3 and 6-10 will be all of the claims pending in the application.

**I. Response to Claim Rejection Under 35 U.S.C. § 103**

Claims 1-3 and 6-10 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kojima et al in view of Sugiyama et al (U.S. Pat. No. 6,773,770).

Applicants respectfully submit that claim 1 is amended herein to recite that the colorant receiving layer includes a cationic resin including a unit represented by formula (1) and optionally a cationic resin including a unit represented by formula (2).

The cited references, taken alone or in combination, do not teach or suggest the presently claimed invention. Specifically, the polymer containing formula (1) of Kojima, in which  $R_1$  to  $R_3$  represent "hydrogen or the same or different aliphatic group with 1 to 4 carbon atoms", is outside the scope of the cationic resin including the unit represented by formula (1) of the present invention in which  $R_1$  represents an alkyl group or aryl group. Sugiyama does not compensate for Kojima's failure to disclose, teach or suggest a cationic resin including the unit represented by formula (1) and optionally a cationic resin including a unit represented by formula (2) as recited in the present claims and does not remedy the deficiencies of Kojima et al. Therefore, the presently claimed invention is not rendered obvious by the cited references.

Accordingly, Applicants respectfully request withdrawal of the § 103 rejection.

## **II. Declaration**

In the Action, the Examiner indicated that there was no Declaration under 37 C.F.R. § 1.132 in the file, and therefore none was considered. In response thereto, Applicants submit a copy of the Declaration under 37 C.F.R. § 1.132 as filed and the date-stamped filing receipt from October 24, 2005 to complete the record.

## **III. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

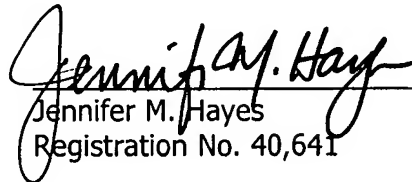
Respectfully submitted,

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

  
Jennifer M. Hayes  
Registration No. 40,641

Date: April 10, 2006